

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BENJAMIN HENDRICKS,

Plaintiff,

vs.

**Case No.: 2:11-cv-937
JUDGE SMITH
Magistrate Judge Deavers**

JOHN DESMARAIS, et al.,

Defendants.

ORDER

On August 5, 2013, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Defendants' Motion for Summary Judgment be **GRANTED** and that judgment be entered in favor of Defendants. (*See Report and Recommendation*, Doc. 56). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff Benjamin Hendricks' Objections to the *Report and Recommendation*. (*See* Doc. 58). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

The objections present, once again, the issues presented to and considered by the Magistrate Judge in the *Report and Recommendation*. For the reasons stated in the *Report and Recommendation*, this Court finds that the objections are without merit.

The *Report and Recommendation*, Document 56, is **ADOPTED** and **AFFIRMED**. Defendant's Motion for Summary Judgment is **GRANTED** and judgment shall be entered in

favor of Defendants.

The Clerk shall remove Documents 46 and 56 from the Court's pending motions list.

The Clerk shall remove this case from the Court's pending cases list.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT